

REMARKS

Reconsideration of the above-referenced application in view of the following remarks is respectfully requested.

Claims 1, 3-9, and 11-15 are pending in this case.

The Examiner rejected claims 1, 3-9, 11-15 under 35 U.S.C. § 103(a) as being unpatentable over List et al. in view of Gambino et al. (U.S. Patent 6,429,474B1).

Applicant respectfully submits that claim 1 is patentable over List in view of Gambino as there is no disclosure or suggestion in the references of depositing a material over the top metal interconnect level and patterning and etching that material to form a bottom electrode on a first metal interconnect line of the top metal interconnect level and a cladding on a second metal interconnect line of the top metal interconnect level. As noted by the Examiner List does not teach the cladding. Gambino teaches forming a metal interconnect level that includes a metal interconnect line and the bottom electrode of a capacitor. This metal interconnect level forms a metal interconnect line INTERCONNECT (Fig. 6C) on a via rather than a cladding on a second metal interconnect line as claimed. The INTERCONNECT is (1) not a cladding, (2) not formed on a metal interconnect line, and (3) not formed on a metal line of the top metal interconnect level.

The teaching of Gambino that a metal interconnect level may be used to also form a bottom electrode of a capacitor does not, in combination with List, suggest to one of ordinary skill in the art depositing a material and using it to form a cladding over a second interconnect line and a bottom electrode over a first interconnect line. The INTERCONNECT of Fig 6C of Gambino is the metal interconnect line, not a cladding formed on a metal interconnect line much less a cladding form on a metal interconnect line of the top metal level as claimed. Accordingly, Applicant respectfully submits that claim 1 and the claims dependent thereon are patentable over List in view of Gambino.

Applicant respectfully submits that claim 9 and the claims dependent thereon are similarly patentable over the references.

In light of the above, Applicant respectfully requests withdrawal of the Examiner's rejections and allowance of claims 1, 3-9, and 11-15. If the Examiner has any questions or other correspondence regarding this application, Applicant requests that the Examiner contact Applicant's attorney at the below listed telephone number and address.

Respectfully submitted,

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